

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LINDA TODD, individually)	
and on behalf of a class,)	
)	11 C 7334
Plaintiff,)	
)	Judge Manning
v.)	
)	Magistrate Judge Cole
STATE COLLECTION SERVICE, INC.,)	
A Wisconsin Company,)	
)	
Defendant.)	

**PLAINTIFF’S MOTION FOR PRODUCTION
OF (1) THE BELIEVED TO BE RECORDED CONVERSATION
BETWEEN PLAINTIFF AND DEFENDANT; and (2) THE INTAKE FORM**

NOW COMES, Plaintiff Linda Todd (“Plaintiff”), individually and on behalf of a class defined herein by and through Plaintiff’s counsel and requests this Honorable Court in the interest of an expedited resolution of Defendant’s Motion to Dismiss Plaintiff’s individual claim brought under the Fair Debt Collection Practices Act, that Defendant produce any copy of the subject conversation between Plaintiff and Defendant. Plaintiff likewise requests a copy of the “intake form” referred to in Defendant’s motion to assist her in determining what course of action she should take in this matter.

In support of this motion, Plaintiff states:

1. Defendant has filed a motion to dismiss in part, Plaintiff’s claim under the FDCPA.
2. On information and belief, there is a recording of the subject conversation between Plaintiff and Defendant that was made by Defendant. Plaintiff’s Complaint requested that Defendant specifically preserve any such recording.

3. Plaintiff will consider whether it appropriate to dismiss or amend the claim under the FDCPA after being provided a copy of the conversation between Plaintiff and Defendant.

4. There is no burden to defendant producing a single recording as it can be easily done via email of a .wav or .mp3 file.

5. Being provided promptly with a document that could quickly dispose of an individual claim via dismissal or settlement is proper under Rule 1's framework to "to secure the just, speedy, and inexpensive determination of every action and proceeding." Fed. R. Civ. P. 1.

6. Defendant's Motion to Dismiss references an "intake form", Doc. 23, p. 4, with nothing more of the substance of what it is but that it should be incorporated into the motion to dismiss. Plaintiff would like to have a copy of the "intake form" produced prior to a briefing schedule being entered.

WHEREFORE, Plaintiff requests that this Court enter and Order requiring Defendant to produce a copy of the recording of the subject conversation with Plaintiff and a copy of the "intake form" referenced in Defendant's motion to dismiss.

Respectfully submitted,

s/ Curtis C. Warner
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